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HOUSE BILL 290

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Rick Miera

AN ACT

RELATING TO MOTOR VEHICLES; PROVIDING PENALTIES FOR FAILURE TO  
YIELD THE RIGHT OF WAY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 66-1-4.7 NMSA 1978 (being Laws 1990,  
Chapter 120, Section 8, as amended) is amended to read:

"66-1-4.7. DEFINITIONS.--As used in the Motor Vehicle  
Code:

A. "great bodily harm" means an injury to a person  
that creates a high probability of death, causes serious  
disfigurement or results in permanent or protracted loss or  
impairment of the function of any member or organ of the body;

~~[A.]~~ B. "gross combination vehicle weight" means  
the total of the gross vehicle weights of all units of a  
combination;

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1           ~~[B-]~~ C. "gross combination weight rating" means the  
2 value specified by the manufacturer as the loaded weight of a  
3 combination; however, in the absence of a value specified by  
4 the manufacturer, the gross combination weight rating shall be  
5 determined by adding the gross vehicle weight rating of the  
6 power unit and the total weight of the towed unit or units and  
7 the load on those units;

8           ~~[G-]~~ D. "gross factory shipping weight" means the  
9 weight indicated on the manufacturer's certificate of origin;

10           ~~[D-]~~ E. "gross vehicle weight" means the weight of  
11 a loaded vehicle; and

12           ~~[E-]~~ F. "gross vehicle weight rating" means the  
13 value specified by the manufacturer as the loaded weight of a  
14 single vehicle."

15           Section 2. A new section of the Motor Vehicle Code is  
16 enacted to read:

17           "[NEW MATERIAL] FAILURE TO YIELD THE RIGHT OF WAY--  
18 PENALTIES.--

19           A. In addition to other penalties imposed for  
20 failure to yield the right of way, a person convicted of  
21 failure to yield the right of way causing no great bodily harm  
22 or death may be punished by a fine of two hundred dollars  
23 (\$200) or a thirty-day suspension of the person's New Mexico  
24 driver's license, commercial driver's license or nonresident  
25 operating privilege, or both.

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1           B. In addition to other penalties imposed for  
2 failure to yield the right of way, a person convicted of  
3 failure to yield the right of way causing great bodily harm may  
4 be punished by a fine of five hundred dollars (\$500) or a  
5 thirty-day suspension of the person's New Mexico driver's  
6 license, commercial driver's license or nonresident operating  
7 privilege, or both.

8           C. In addition to other penalties imposed for  
9 failure to yield the right of way, a person convicted of  
10 failure to yield the right of way causing death may be punished  
11 by a fine of one thousand dollars (\$1,000) or a six-month  
12 suspension of the person's New Mexico driver's license,  
13 commercial driver's license or nonresident operating privilege,  
14 or both."

15           Section 3. EFFECTIVE DATE.--The effective date of the  
16 provisions of this act is July 1, 2009.